

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PERSONNEL

DATE: JULY 11, 2012

COMMITTEE MEMBERS PRESENT:

SUPERVISORS CONOVER
KENNY
SOKOL
TAYLOR
STRAINER
DICKINSON
GIRARD
MASON

OTHERS PRESENT:

DANIEL G. STEC, CHAIRMAN OF THE BOARD
PAUL DUSEK, COUNTY ADMINISTRATOR
JOAN SADY, CLERK OF THE BOARD
KEVIN GERAGHTY, BUDGET OFFICER
SUPERVISORS BENTLEY
THOMAS
WESTCOTT
WOOD

COMMITTEE MEMBER ABSENT:

SUPERVISOR MERLINO

PATRICIA AUER, DIRECTOR, PUBLIC HEALTH/PATIENT SERVICES
KATHY BARRIE, PERSONNEL OFFICER
MICHAEL SWAN, COUNTY TREASURER
JEFFERY TENNYSON, SUPERINTENDENT OF PUBLIC WORKS
DON LEHMAN, *THE POST STAR*
AMANDA ALLEN, DEPUTY CLERK OF THE BOARD

Mr. Conover called the meeting of the Personnel Committee to order at 9:00 a.m.

Motion was made by Mr. Girard, seconded by Mr. Taylor and carried unanimously to approve the minutes from the June 6th Committee meeting, subject to correction by the Clerk of the Board.

Copies of the Personnel agenda were distributed to the Committee members and a copy is also on file with the minutes.

Beginning with Action Agenda Item 1A, Mr. Conover announced a referral from the Health Services Committee, Public Health/Patient Services, requesting to fill two (2) vacant Public Health Nurse positions in the Certified Home Health Aide Division (PHN #15 and #35), Grade 21, each with a Base Annual Salary of \$43,905, due to resignation. He continued that these were Union positions which were not mandated, but received 100% reimbursement. Mr. Conover noted the Health Services Committee had approved the filling of both positions, but asked that one position be filled immediately and filling of the second be delayed until a necessity was identified, at which time the County Administrator should be consulted to seek approval to proceed.

Motion was made by Mr. Sokol, seconded by Mr. Girard and carried unanimously to approve the aforementioned request to fill both vacant Public Health Nurse positions, as outlined above and the necessary resolution was authorized for the July 20th Board meeting. *Copies of both Notice of Intent to Fill Vacant Position forms are on file with the minutes.*

Mr. Conover advised that Item 1B included a request to create and fill the new position of Senior Public Health Educator, annual salary to be determined following Union negotiations, effective September 1, 2012 and delete the position of Public Health Educator #2, Base Annual Salary of \$35,385, thereby amending the Department's Table of Organization. He said the new position was considered to be mandated as the Department must maintain a designated Emergency Response Program Coordinator who is tasked with overseeing and assuring that Emergency Response Program Grant deliverables are achieved; he continued it was anticipated that the position would generate a revenue source through State funded Emergency Preparedness grants.

Motion was made by Mr. Girard and seconded by Mr. Dickinson to approve the above referenced request.

At Mr. Conover's prompting, Paul Dusek, County Administrator, explained the current Public Health Educator #2 position, as well as one other contracted position, would be eliminated and their consolidated functions assumed by the new Senior Public Health Educator position, which would be a Union position. He further explained the current Public Health Educator #2 position was a Grade 14, Base Annual Salary of \$35,385, while the Senior Public Health Educator position would be a Grade 18 with a Base Annual Salary of \$40,170. Pat Auer, Director of Public Health/Patient Services, interjected that the salary of the employee currently filling the Public Health Educator #2 position, who would be assuming the Senior Public Health Educator position, included longevity pay which would be retained, making the actual salary somewhat higher. Additionally, Mrs. Auer noted the contractual position being abolished had an associated pay rate of \$25 per hour that would no longer be necessary, leading to a net savings to the County of approximately \$3,200 annually. Mr. Dusek affirmed that a salary study had been performed to evaluate the position based on several factors including duties and educational requirements, the salaries of similar positions in other Counties, and the savings to be attained through the consolidation of positions, as well as how the duties and educational requirements compared to other Grade 18 positions within Warren County. He continued that although the results of the salary study had found a Grade 18 pay level to be appropriate for the Senior Public Health Educator position, Union concurrence would be necessary to finalize the process as the position would be within the bargaining unit.

Mr. Conover questioned whether a salary range was available for the position based on the Grade 18 level and Mr. Dusek advised he would need to return to his office to get this information.

Mr. Dusek left the meeting at 9:06 a.m.

While awaiting Mr. Dusek's return, Mr. Conover noted that the request included under Action Agenda Item 1C had been withdrawn and that as per Mr. Dusek's request, Items 4A, as well as the two Pending Items listed, would be delayed for discussion at the next Committee meeting.

Mr. Dusek returned to the meeting at 9:08 a.m.

Resuming discussion respective to the salary ranges according to Grade level, Mr. Dusek apprised the Grade 14 Public Health Educator #2 position incorporated a base annual salary scale ranging from \$35,385 to \$45,032, depending upon years of service; he added that the scale for a Grade 18 position, as proposed for the Senior Public Health Educator position, would range from \$40,170 to \$50,464, depending upon years of service. Mr. Dusek pointed out there was roughly a \$5,000 difference between the salaries of the two positions. He apprised that a review of similar positions in other Counties had been performed, following which it had been determined that only two other Counties incorporated a Senior Public Health Educator, those being Washington County, at a rate of \$48,298 - \$54,000 annually, and Livingston County, at a rate of \$42,000 - \$59,000 annually. Mr. Dusek said there were other Counties that maintained Public Health Educator positions, such as the one being abolished, with salary ranges at roughly the same level as the Grade 14 position scale. Mrs. Auer pointed out another important aspect to note was that the salary costs associated with the position would be 100% reimbursed by State grant funds. Mr. Dusek advised that if the Committee was in agreement with the request, they would proceed to seek approvals from the Union to introduce the position at a Grade 18 pay level.

Following further discussion on the matter, Mr. Conover called the question and the aforementioned motion was carried unanimously, thereby authorizing the necessary resolution for the July 20th Board meeting. *A copy of the request is on file with the minutes.*

Resuming the agenda review, Mr. Conover announced that Items 2A and 2B consisted of referrals from the Public Works Committee. Item 2A, he said, included a request from the DPW Division to amend the Table of Organization and Salary Schedule to set the Annual Salary of the Airport Manager position at \$66,000. He noted that prior Resolution No. 605 of 2011 authorized the position to be filled within a salary range of \$60,000 - \$70,000.

Motion was made by Mr. Taylor, seconded by Mr. Dickinson and carried unanimously to approve the request and the necessary resolution was authorized for the July 20th Board meeting. *A copy of the request is on file with the minutes.*

Continuing, Mr. Conover advised that Item 2B pertained to a request from the Parks, Recreation & Railroad Division to amend the Table of Organization and Salary Schedule to set the Annual Salary of the Fish Management Specialist position at \$42,000. He noted that prior Resolution No. 155 of 2012 authorized the position to be filled within a salary range of \$37,000 - \$42,000.

Mr. Kenny commented this request had sparked a bit of controversy when it was discussed by the Public Works Committee. He said that with all due respect to Jeffery Tennyson, Superintendent of Public Works, who he felt typically did an excellent job of fulfilling his job-related duties, poor judgement had been used when determining the salary for the Fish Management Specialist position; therefore, he added, he intended to vote against the request. Mr. Taylor advised that if the request to set the position's salary at \$42,000 had come before the Committee prior to being filled, he likely would have voted against the motion. He added that because the position had already been filled, he felt it would be futile to vote against the request now. Mr. Taylor continued that Mr. Tennyson typically made good decisions on behalf of the County in situations such as this, so he would vote in support of the motion. Mr. Dickinson stated that the person chosen to fill the position had previously served as the Fish Management Specialist and had decided to leave the County's employ because he felt he was being underpaid and found a higher paying job; unfortunately, he said, that opportunity had not worked out for him and coincidentally, the Fish Management Specialist position was being advertised once again, with a preferable salary level, at the same time the former staff member was seeking employment. Mr. Dickinson stated that Messrs. Tennyson and Butler were very happy to have the employee back in the position and he did not see the reason why this request should cause an issue.

Mr. Strainer questioned if there were policies in place for re-hiring of former County employees and Mr. Dusek replied that general practices had been followed which allowed returning employees to retain prior leave time accruals. He recalled that in 2011, a resolution had been adopted for employees of the Sheriff's Office making what were considered to be lateral transfers to allow staff transferring from other police forces to join County service with a maximum of three years credited to them for prior service, and to begin employment with vacation leave time levels equivalent to that of a three-year County employee. At the same time, Mr. Dusek added, another resolution had been adopted for the benefit of a law enforcement officer who had returned to the Warren County Sheriff's Office after leaving for another opportunity which indicated the Officer would receive full credit for his service time and resume prior leave time benefits, with the argument being that he was a well qualified prior employee that the Sheriff's Office desired to re-join their ranks; he concluded that the situation with the Fish Management Specialist position was very similar to this example. In response to further inquiries made by Mr. Strainer, Mr. Tennyson apprised that the employee had worked 3.5 years for the County before leaving for another opportunity and Mr. Dusek confirmed that upon resuming the position, full leave time benefits had been returned based on the previous County employment history, but advised the employee would be subject to a probationary period. Mr. Strainer then asked if the same salary would have been offered to another applicant with similar experience and Mr. Dusek replied affirmatively, noting the high end of the scale indicated an appropriate pay rate for the most qualified individuals.

Mr. Girard questioned how many applications had been received for the position when it was advertised and Mr. Tennyson replied that 25 had been received, which they had narrowed to 6 before deciding upon 2 finalists to interview for the position; he added that the position had been offered to one of the candidates at a salary of \$39,500, commensurate with experience and qualifications. Mr. Tennyson said the candidate had refused the offer and they were preparing to re-advertise the position when the former Fish Management Specialist, Jeff Inglee, had announced his interest in the position. He stated that with the exception of Paul Butler, Director of the Parks, Recreation & Railroad Division, he did not feel there was anyone more qualified in the State of New York to assume the position with such specific experience than Mr. Inglee. Mr. Tennyson said he believed the candidate initially offered the position had refused it for a combination of reasons not exclusively tied to the salary offer and he indicated that he would not have offered the \$42,000 salary because the experience and qualification levels presented were not equal to Mr. Inglee's. Mr. Taylor pointed out it was important to note that Mr. Inglee would not require any training as he was already very familiar with the Fish Hatchery operation.

Mr. Dusek apprised that in light of the concerns raised in this situation, it had become apparent that a step was missing in the salary study process when ranges were set for filling positions. He said that in the future, any position filled at a level higher than the lower part of the salary range would be subject to further review by the County Administrator to ensure the determined salary figure was appropriate, rather than leaving the decision to be made solely at the discretion of the Department Head. Mr. Dusek explained that while the Department Heads were very well intentioned, they may not be aware of all factors present. He concluded that he did not fault Mr. Tennyson for setting the salary as he did, but rather the process as it did not require the additional layer of review which would have offered the Committee comfort that the salary had been reviewed in advance.

Mr. Kenny stated that the Committee was losing sight of the fact that if Mr. Inglee had remained with the County he would have continued his employment at the prior rate in the range of \$35,000 per year, but because he chose to leave and then come back, that salary was raised to \$42,000.

Mr. Conover called the question and the request to amend the Departmental Table of Organization and Salary Schedule to set a salary of \$42,000 for the Fish Management Specialist Position was carried by majority vote, with Mr. Kenny voting in opposition, thereby authorizing the necessary resolution for the July 20th Board meeting. *A copy of the request is on file with the minutes.*

Continuing with the agenda review, Mr. Conover announced Items 3A and 3B consisted of referrals from the Social Services Committee, Countryside Adult Home; Item 3A, he said, was request to abolish the part-time Laundry Worker #2 position, Annual Salary of \$13,667. He explained that Countryside Adult Home would be contracting with an outside provider for laundry services in an effort to save money and due to this change, there would no longer be a need for the Laundry Worker position at the facility.

In response to an inquiry as to whether the position was currently vacant, Joan Sady, Clerk of the Board, replied in the negative, advising that the person filling the position spent half of their time working at the Countryside Adult Home and the rest at the Westmount Health Facility. Mrs. Sady said that following abolishment of the part time position from Countryside Adult Home, the part time position at the Westmount Health Facility would remain.

Motion was made by Mr. Kenny, seconded by Mr. Strainer and carried unanimously to approve the request to abolish the part-time Laundry Worker #2 position at the Countryside Adult Home and amend the Departmental Table of Organization accordingly, thereby authorizing the necessary resolution for the July 20th Board meeting. *A copy of the request is on file with the minutes.*

Mr. Conover said Item 3B reflected a request to fill the vacant position of Institutional Aide #5 (*part-time, not to exceed 24 hours per week*), Grade 3, Base Annual Salary of \$14,529, due to termination. He added that this was a mandated Union position which received 50% State reimbursement.

Motion was made by Mr. Strainer, seconded by Mr. Mason and carried unanimously to approve the request and the necessary resolution was authorized for the July 20th Board meeting. *A copy of the Notice of Intent to Fill Vacant Position form is on file with the minutes.*

Proceeding to Item 3D, Mr. Conover presented a referral from the Social Services Committee, Department of Social Services, requesting to fill the vacant position of Account Clerk #2, Grade 4, Base Annual Salary of \$25,344, due to resignation. He said this was a mandated Union position which received 87% State and Federal reimbursement.

Motion was made by Mr. Strainer, seconded by Mr. Girard and carried unanimously to approve the request and the necessary resolution was authorized for the July 20th Board meeting. *A copy of the Notice of Intent to Fill Vacant Position form is on file with the minutes.*

There being no further business to come before the Personnel Committee, on motion made by Mr. Dickinson and seconded by Mr. Girard, Mr. Conover adjourned the meeting at 9:25 a.m.

Respectfully submitted,
Amanda Allen, Deputy Clerk of the Board